

I am shocked and outraged by the recent proposal that would ban the authorship of free software for receivers of HDTV signals. As an American citizen and a user and developer of free software including the GNU/Linux operating system, I must protest this proposed policy in the strongest possible way.

This policy would criminalize software development activity which is basically speech, and which does not infringe on any copyrights itself. Has any harm to society been demonstrated here to justify this? The recording industry can't even seem to show that music file sharing has put a dent in their sales, and movie profits continue to skyrocket regardless of the Internet even in a sagging economy.

Consider the slippery slope which this begins to slide down. Soon I expect a ban on software which does not attach an author's identity to all documents, effectively outlawing anonymous whistleblowing. Oh wait, some in Congress are already calling for that. Next, we might see a prohibition on the use of general purpose computing devices at all. But then, that's what Sen. Hollings' proposed CBDTPA legislation does. What's next, forbidding unlicensed websites, as the Italians have proposed? Or how about prohibition of all software authoring activity -- and education -- not sanctioned by the government, since this is effectively what's needed for the enforcement of the proposed policy.

Note that under this policy, no crime or wrongdoing must be shown in order for the writing of such software to be an illegal activity. This leads to presumption of guilt: because the software *can* be used to infringe copyright, we assume that it *will* be used for this purpose by all users, with no opportunity for due process of any kind. How much more anti-constitutional can you get? By the same logic, we need to outlaw forks, because they can be used to commit murder.

In summary, the logic behind this proposal is moronic, its implementation is unconstitutional, and its potential effect on American society is tyrannical. I am saddened that the government of such a great country which would let such a proposal get even this far.